

Justice Reinvestment Advisory Council
Meeting Minutes
June 20, 2016

The Justice Reinvestment Advisory Council met at the Indiana Judicial Center in the 8th Floor Conference Center at 30 South Meridian Street in Indianapolis, Indiana on June 20, 2016. The Advisory Council met 10:00a.m.-2:00 p.m.

- 1. Members present.** The following members of the Justice Reinvestment Advisory Council were present: Larry Landis, Executive Director of the Indiana Public Defender Council; David Powell, Executive Director of the Indiana Prosecuting Attorneys Council; Kevin Moore, Director of the Division of Mental Health and Addiction; Julie Lanham, proxy for the Commissioner of the Indiana Department of Correction; David Murtaugh, Executive Director of the Indiana Criminal Justice Institute; Dave Heath, President of the Indiana Association of Community Corrections Act Counties; Linda Brady, President of the Probation Officer's Professional Association of Indiana; Bill Wilson, proxy for the President of the Indiana Sheriffs Association; and Jane Seigel, Executive Director of the Indiana Judicial Center/State Court Administration and Council Chair.
- 2. Guests present.** The following guests also attended the meeting: Deb Braun and Jon Ferguson from the Indiana Department of Correction; Chris Cunningham and Bill Watson from the Indiana Association of Community Corrections Act Counties; Christine Kerl and Adam McQueen from the Probation Officers Professional Association of Indiana; Hilary Alderete and Kristin Banschbach from the Indiana State Budget Agency; Sara Cozad, Terry Cook, Angie Boarman, and Rebecca Buhner from the Division of Mental Health and Addiction; Krista Rivera from the Indiana Senate; Trent Glass from the Indiana House; Steve McCaffrey from Mental Health America of Indiana; Alison Karns and John Hill from the Office of Governor Mike Pence; Matthew Brooks from the Indiana Council of Community Mental Health Centers; Dr. Brad Ray from the Indiana University Public Policy Institute; Justin Forkner from the Indiana Judicial Center/State Court Administration; Judge Wayne Trockman of Vanderburgh Superior Court; Lisa Thompson and Dave Williams from Trial Court Technology; John Dieter, Julie King, Dalton Haney, and Jennifer Gray from Marion County Community Corrections; Susan Bentley from Hendricks County Probation; Connie Smith from the Indiana Prosecuting Attorneys Council; and Paul Babcock from the Indianapolis Mayor's Office.
- 3. Staff assistance.** Jennifer Bauer, Mary Kay Hudson, and Michelle Goodman provided staff assistance to the Advisory Council.

4. **Approval of minutes.** The minutes from the April 22, 2016 meeting were unanimously approved.
5. **DOC update on deferred community corrections fund grant requests.** Deb Braun from DOC reported that \$500,000 was set aside for prosecutor diversion requests. She said that DOC plans to meet with the Judicial Center and David Powell to develop guidelines for the diversion programs and training on evidence-based practices. Jane Seigel stated that an initial meeting needs to be scheduled and then requests put on the fast-track.
6. **Presentations from Marion County and Vanderburgh County on home detention programs.** Jane Seigel reported that Marion and Vanderburgh Counties were invited to this meeting to explain their grant requests and performance issues identified by DOC. John Dieter, director of Marion County Community Corrections, distributed a handout detailing the data behind the proposal for a call center. He stated the MCC has over 3000 people on electronic monitoring and the number of alerts and phone calls related to the monitoring is enormous. He said 65% of the alerts are “nuisance” and not related to public safety concerns. He also stated that the probation department could join the call center as part of their collaboration plan. The grant request asked for 1 new employee to expand intake. Julie Lanham stated that DOC does not recommend full funding of the MCC request because of compliance issues related to filed visits and offender violations. Mr. Dieter explained that the grant funding will help Marion County Community Corrections meet DOC’s performance standards. The Council members asked Mr. Dieter questions about the proposed call center and the need to show improved outcomes. Julie Lanham made a motion to recommend DOC fund Marion County Community Corrections proposal at \$705,000 with outcome measurement. Larry Landis seconded the motion, which was approved unanimously. Judge Wayne Trockman of Vanderburgh Superior Court stated that Vanderburgh Community Corrections requested grant funding for electronic monitoring. He stated that the jail population of L6 offenders could be significantly reduced with electronic monitoring. He also stated that the superior court judges took over community corrections in July 2015 and are turning the program into a therapeutic model. The judges want to revise their grant request to address jail overcrowding. Julie Lanham stated that DOC’s deferred recommendation for funding Vanderburgh Community Corrections is \$90,000. The Council members discussed the details of the proposed electronic monitoring program and increased capacity with the proposal. Larry Landis made a motion to authorize Vanderburgh’s revised application with funding from DOC up to \$93,000. Linda Brady seconded the motion, which was approved unanimously. The Council members also discussed the need for a deferral and modification process for FY 18 grant applications.

- 7. Update from DMHA on Recovery Works.** Kevin Moore distributed a handout and asked Council members to let DMHA know about any local issues related to Recovery Works. Angie Boarman reported that the handout shows that the Recovery Works numbers are growing rapidly. The total enrollment in June is 2922, which is up from 1947 in April. DMHA projects that the enrollment total will reach 3127 by the end of FY 16. Ms. Boarman reported that the top 5 services in Recovery Works are housing, skills training, group substance use treatment, intensive outpatient treatment, and case management; and the top 5 referring counties are Marion, Vanderburgh, Madison, Vigo and Monroe. She also reported that DMHA did a strategic plan for 2017, which will include an overhaul of the voucher system. Sarah Cozad reported that the money expended so far on Recovery Works service is \$931,000. Ms. Cozad also reported that the treatment cap has been removed, the medical prior authorization has been removed, and the reimbursement rate will increase on July 1st. Dr. Brad Ray reported that he is nearing the end of design for the mental health attitudes survey and currently pre-testing the web-based survey. He anticipates that the survey will take 15 minute to complete and will be confidential. Dr. Ray stated that he will need all of the JRAC members to send the survey to their membership with a letter explaining that the survey is being done on behalf of JRAC. Sarah Cozad further reported that DMHA is exploring the concept of recovery coordinators to coordinate Recovery Works referrals in counties. The position would support the link between the criminal justice system and treatment providers, and would be paid from Recovery Works funding. She stated that another opportunity that DMHA is exploring is an administrative bonus for designated providers to incentivize participation in Recovery Works. Ms. Cozad also reported that the Jail Treatment Workgroup met to discuss contracts for jail treatment and using current providers. She stated that DMHA anticipates having \$10 million available for community contracts, but the question remains as to whether medical providers will do behavioral health in jails.
- 8. Review of Senate Fiscal Information.** Krista Rivera reported that she prepared an offender population report at the request of Sen. Kenley. She distributed the report and stated that the jail trend is up. Dave Williams distributed a chart based on abstract information and explained what he found in the abstract information. In the first quarter of 2016, 1,544 offenders were given original post-sentence jail commitments that will have to be reimbursed by DOC. Those 1,544 offenders were given an average of 111 days executed, for a total of 170,962 days. At \$35 a day, that will cost the DOC \$5,983,670. He stated that a comparison of Level 6 felony offenses with jail sentences to Class D felony offenses previously sentenced to DOC shows that executed sentences are significantly reduced. In the third quarter of 2014 there were 1,503 Class D Felonies sentenced to the DOC for a total of 378,959 days. That means that each offender served an average of 252 days in the DOC for a Class D Felony,

compared to just 111 days in jail on average for F6 offenders. If the F6 offender was given probation or community corrections following jail, the amount of time he was incarcerated in jail was significantly reduced. The average number of days spent in jail for an offender who had a probation term was 69 (131 for FD), while the average number of days spent in jail for an offender who had a community corrections commitment was only 37 (139 for FD). If he was sentenced to community corrections and probation after his jail sentence, he spent only 28 (59 for FD) days in jail. Offenders sentenced to a straight jail sentence, with no probation or community corrections, spent an average of 150 (317 for FD) days in jail. Mr. Williams also stated that, for the Level 6 offenses, 29% had to serve executed time post-sentence; for Class D offenses, that number was 36%.

9. **EBDM and JRAC Relationship.** Mary Kay Hudson reported that there is significant overlap between the Evidence-Based Decision Making Initiative and the Justice Reinvestment Advisory Council. She stated that the work of the groups needs to be coordinated, which will be important for Indiana's application to for EBDM Phase 6 technical assistance. David Powell suggested a cooperative agreement between the groups, similar to a memorandum of understanding. Mr. Powell made a motion to make a cooperative agreement with the Indiana EBDM State Policy Team. Dave Murtaugh seconded the motion, which was approved unanimously.
10. **Next meeting.** Jane Seigel announced that the Advisory Council will meet on August 2, 2016 at 10:00 a.m.-2:00 p.m. at the Indiana Judicial Center.

Respectfully submitted,

Jennifer Bauer
Staff Attorney, IJC